

**Fleming County Project Development Board**  
**160 West Electric Avenue, Flemingsburg, KY 41041**  
**Record of Regular Meeting, September 2, 2008, 5:00 pm Eastern**

The meeting was called to order at 5:03 pm by Chairperson CJE Larry H. Foxworthy. Roll Call was completed as noted below:

**Present:** Larry H. Foxworthy, Pam Lowe, Marvin W. Suit, Louie Flanery, Judge W. Todd Walton II, Judge Stockton B. Wood, J. Scott Brown and David DeAtley

**Other Attendees:** Garlan Vanhook and Michael Kier, Administrative Office of the Courts (AOC)  
Sam Howard, Trace Creek Construction, Inc (TCCI)  
Eric Chambers and Michael Carroll, Brandstetter Carroll Architects (BCA)

**Old Business:** A motion was made to approve the minutes of August 5, 2008. Motion by Walton. Second by Lowe. All in favor.

Brandstetter Carroll Architects, Mike Carroll and Eric Chambers, held a meeting with members of the local bar association today at 4:00pm to review the potential site and floor plans of new judicial center. Suit stated he believed the attorneys present for the review agreed the concept is good but the Grand Jury room is too far from the courtroom.

Chambers discussed details of revised site plan which included: Shifting of building back from street, sally port entry, secured parking utilizing part of the jail property below the retaining wall and bigger plaza area.

Chambers met with Kentucky Utilities today to discuss the relocation of utilities to underground. KU is preparing a cost estimate to submit by mid October.

Chambers presented the revised floor plan which incorporated the changes requested from Walton, Wood and Lowe. First floor review included: Main entry, lobby, stairways, 120 seats for District Court, prisoner holding area, witness stand location, drug court (on outer wall for possible entryway), Circuit Clerk offices, Judge's Chambers and secured vestibule, records review area, staff circulation, location of jury area and jury exit plan.

Second floor review included: Public circulation, 126 seats for Circuit Court, location of jury section and deliberation room, 30 seats for Family Court, juvenile observation room accessibly from Judge's chambers, Grand Jury room, pre-trials services, Judge's suites, prisoner holding area, attorneys accommodations. Vanhook discussed utilizing the additional benches behind attorneys to increase seating for jury selection process if needed. Wood suggested revising the location of the Grand Jury deliberation room closer to the court room to alleviate jurors from passing through public path as well as relocating the prosecutors room closer to courtroom as well.

Vanhook stated space cannot be added and all revisions must abide by the Program Document and AOC standards. Vanhook discussed: The odd corners of building on first floor, access to restroom facilities in jury deliberation room, Family Court needs closer to Water Street and potential of utilizing the Jury Room for small courtroom if needed for privacy.

Suit asked why the corners of building were cut out. Chambers responded there was no program function for the corners of building therefore they were cut out to keep within the Program Document requirements and trying to develop a character façade for the building.

Chambers presented two exterior design concepts with elevation. The board discussed their preferences and reviewed features of both federal and traditional designs. Carroll explained the size of the building would not allow for a high pitched roof but there would be a slope to the roof of the building. Wood and Carroll discussed equipment on top of the building that will be visible from courthouse hill. Carroll stated screens will be placed over equipment to decrease visibility of equipment. Brandstetter Carroll will meet again with Judge Walton and Judge Wood upon completing the requested revisions to the floor plans.

The board agreed to hold a Special Call meeting on Tuesday, September 16, 2008 at 5:00PM at the city annex building to review the changes submitted to Brandstetter Carroll Architects. Brown and Walton cannot attend the Special Call meeting but Brandstetter Carroll offered to issue the changes for their approval prior to the Special Call meeting.

**New Business:**

Marty Nemes, Kentucky Construction Insurance Program Administrator, presented information regarding the program. Nemes briefly discussed points of an estimated 1-3% project cost savings if the general liability, work comp and/or umbrella insurance coverage for contractors and/or subcontractors was purchased via the Project Development Board through this program. Chairperson Foxworthy stated the board would review the information but are not prepared to discuss at this time.

Suit and Foxworthy stated there is confusion about the Community Trust Bank's Land Option Agreement and Addendum regarding the lease of the Dudley House. The County Attorney John Price and Marvin Suit will contact Community Trust Bank to clarify Land Option Agreement and Addendum and ask Community Trust Bank when law office can relocate to the Dudley House upon the Chamber of Commerce's relocation. Flanery stated the Chamber of Commerce is currently preparing to move within 30 days to new location and would be vacating the Dudley House to allow for MacDonald, Walton and Razor to move in as planned. Flanery will update the Chamber personnel of discussion held. Vanhook stated the board's best interest would proceed with the demolition of law office to allow for foundation tests to commence.

Board members discussed the potential of purchasing additional properties for parking areas. Vanhook stated the land acquisition budget needs to be evaluated to see how much funds are left for additional parking and improvements.

Currently a signed Land Option Agreement for Dye property (124 West Water Street) is for \$ 75,800.00 which is over the appraised value. Vanhook stated if Dye obtained his own appraisal, then negotiations could begin from there on the purchase price. Vanhook requested a copy of the Dye Land Option Agreement to review with Attorney Estill and AOC Budget Department. Board Secretary Tammy Gray will forward the documents to Vanhook.

During initial discussion between Kier and Stivers/Wood/Spangler property owners, Kier stated the property owners (130 West Water Street) requested a buffer zone between new judicial center and conserve the cut stone drains and old tree located on property. Vanhook stated the Stivers/Wood/Spangler option can be negotiated to include sparing destruction of the stone drain and tree as requested. Kier stated Stivers had spoken with him and stated she would send the signed Land Option Agreement to Chairperson Foxworthy, which has not been received to date. Kier will contact Stivers/Wood/Spangler regarding Land Option Agreement.

Discussion was held regarding purchasing the jail property for additional parking. Vanhook stated the Fleming County Fiscal Court should develop a formal proposal for consideration of the Project Development Board to procure the jail property. Chambers stated the slope of the jail property would not allow for a handicap ramp to be ADA compliant.

A motion was made to seek an offer from the Fleming County Fiscal Court to sell the jail property. Motion by Wood. Second by Suit. All in favor.

The Fleming County Fiscal Court will discuss the jail property at the September meeting per Foxworthy.

Walton asked if the old vet office, Jones Insurance, Messenger office and jail properties would be a better option than purchasing the Dye, Stiver/Wood and Spencer properties for additional parking. Vanhook stated low appraisals of the West Main Street properties could hinder negotiations but suggested contacting the property owners of old vet office, Jones Insurance and Messenger to see if willing to sell at appraised value. Chairperson Foxworthy will draft letters to owners of old vet office, Jones Insurance and Messenger office regarding purchase price of said properties.

Wood suggested contacting the Methodist Church for possibly trading a leveled jail property lot for the church parking lot.

A motion was made to adjourn at 6:45 PM. Motion by Wood. Seconded by Flanery. All in favor.